

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 24-29 are active in this application. Claim 24 is amended by the present amendment.

Amendments to Claim 24 find support in the specification as originally filed at least at page 9, line 8 to page 10, line 25. Thus, no new matter is added.

In the Office Action, Claims 24-29 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 5,966,699 to Zandi in view of U.S. Patent 5,742,775 to King and U.S. Publication 2002/0120557 to Chien. Applicants respectfully traverse that rejection with respect to amended independent Claim 24.

Amended Claim 24 is directed to an auction system including a computer disposed in a site accessible from user terminals through a transmission line of a network. The auction system includes, in part, a selection section configured to select a borrowing request or a lending offer for each user. The auction system also includes an input section configured to input information related to the borrowing request and including a desired borrowing amount and a maximum allowable interest if a user selects the borrowing request. Further, the input section is configured to input information related to the lending offer and including a desired lending amount and a desired interest or a rule capable of calculating the desired interest if another user selects the lending offer.

In addition, the auction system includes a borrowing intermediacy section configured to receive a plurality of potential borrowing requests from user terminals corresponding to a plurality of users who selected the borrowing request, and a borrowing request storage section configured to register the potential borrowing requests input through the transmission line into the borrowing intermediacy section. Further, the auction system includes a lending

intermediacy section configured to receive a plurality of potential lending offers from user terminals corresponding to a plurality of users who selected the lending offer, and a lending offer storage section configured to register the potential lending offers input through the transmission line into the lending intermediacy section.

In other words, with an auction system according to Claim 24, a selection section may select a borrowing request or a lending offer for each user. Thus, if a borrowing request is selected for one user, a lending offer may be selected for another user. Further, according to this example, a borrower may input information related to the borrowing request (e.g., an input section configured to input information related to the borrowing request) and a lender may input information related to the lending offer (e.g., an input section configured to input information related to the lending offer). Thus, the borrower and the lender independently input the information related to the borrowing request and the information related to the lending offer. That is, according to an embodiment of Claim 24, a borrowing intermediacy section may receive a plurality of potential borrowing requests from user terminals corresponding to a plurality of users who selected the borrowing requests, and a borrowing request storage section may register the potential borrowing requests input through the transmission line into the borrowing intermediacy section. Likewise, according to this embodiment, a lending intermediacy section may receive a plurality of potential lending offers from user terminals corresponding to a plurality of users who selected the lending offer, and a lending offer storage section may register the potential lending offers input through the transmission line into the lending intermediacy section.

Further, according to an embodiment of Claim 24, an input section inputs information related to a lending offer including a desired lending amount and a desired interest amount or a rule capable of calculating the desired interest if another user selects the lending offer.

In a non-limiting embodiment, Applicants' Figure 5 shows an example of a financial auction system that includes a matchmaking section 28 that is configured to perform matchmaking between the potential borrowing requests registered in the borrowing request storage section and the potential lending offers registered in the lending offer storage section to select a set of successful bids. Thus, an auction system according to Claim 24 may advantageously allow a borrower and a lender to set potential borrowing requests and potential lending offers independently of one another. For example, the borrower may set the potential borrowing request without considering the potential lending offer, and the lender may set the potential lending offer without considering the potential borrowing request. Thus, an auction system according to Claim 24 may advantageously include a matchmaking section that performs matchmaking between independent potential borrowing requests and independent potential lending offers.

Applicants respectfully submit that Zandi, King, and Chien, whether taken individually or in combination, fail to teach or suggest each of the features of amended Claim 24.

Zandi describes a system and method for conducting a loan auction over a computer network.¹ In particular, Zandi indicates that a computer system includes a computer connected to the internet, which performs the functions of "(1) receiving an electronic loan application form from a prospective borrower; (2) providing such application to a loan authorizer's computer over the computer network for approval; (3) receiving an electronic message from the loan authorizer's computer indicating whether or not such loan has been approved; (4) entering the loan application into a database that is accessible to lenders via the computer networks, if the loan is approved; and (5) maintaining the loan application in the

¹ Zandi at Abstract.

database for a predetermined period [of] time during which lenders may submit bids and the borrower may accept a bid.”²

In other words, Zandi describes a reverse auction system in which a borrower makes a borrowing request and a lender makes a bid for the borrower based on the borrowing request. Thus, the lender inputs information based on information previously input by the borrower, and the lender does not input a desired lending amount or a desired interest. Thus, Zandi also fails to teach or suggest any input section that receives input information from a user that selects a lending offer including a lending amount that the user desires to lend and an interest or a rule capable of calculating an interest that the user desires to obtain. Thus, Applicants respectfully submit that Zandi fails to teach or suggest “an input section configured ... to input information related to the lending offer and including a desired lending amount and a desired interest or a rule capable of calculating the desired interest,” as recited in independent Claim 24.

Accordingly, Applicants respectfully submit that independent Claim 24 patentably defines over Zandi.

Further, Applicants respectfully traverse the assertion in the Office Action that King discloses a section configured to input a plurality of potential borrowing requests each including a desired borrowing amount and a maximum allowable interest when King describes paying loan agreements between a lender and borrower providing for repayment of the loan together with interest at a periodically adjusted rate based on the terms of the agreement.³

King indicates that a system may include one or more accounts that are used to “track funds allocated to various risk taking, investment, and administrative activities.”⁴ In other words, King describes tracking the performance of funds, and King does not describe any

² Zandi at Abstract.

³ Office Action at page 4, lines 15-19.

⁴ King at column 8, lines 4-8.

inputting of potential borrowing requests. Further, King indicates that prior to issuance of a financial instrument “the borrower and lender agree [upon] the minimum interest rate which may be set annually by the borrower.”⁵ In other words, King indicates that a borrower and a lender may agree on characteristics of a financial instrument. However, King fails to teach or suggest any input section that receives a desired lending amount and a desired interest or a rule capable of calculating a desired interest for a user that selects a lending offer.

Accordingly, King also fails to teach or suggest the claimed borrowing request storage section that registers the potential borrowing request and King also fails to teach or suggest the claimed lending offer storage section that registers the potential lending offers. In addition, Applicants respectfully submit that Chien also fails to teach or suggest the claimed features lacking in the disclosures of Zandi and King.

Accordingly, Applicants respectfully submit that Zandi, King, and Chien, whether taken individually or in combination, fail to teach or suggest “an input section configured to input information related to the borrowing request and including a desired borrowing amount and a maximum allowable interest if a user selects the borrowing request, and to input information related to the lending offer and including a desired lending amount and a desired interest or a rule capable of calculating the desired interest if another user selects a lending offer,” as recited in independent Claim 24.

Accordingly, Applicants respectfully request the rejection of Claims 24-29 under 35 U.S.C. § 103(a) be withdrawn.

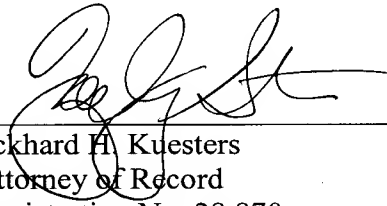
Therefore, Applicants respectfully submit that independent Claim 24 and claims depending therefrom are allowable.

⁵ King at column 8, lines 21-23.

Consequently, in light of the above discussion and in view of the present amendment this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Zachary S. Stern
Registration No. 54,719

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

EHK:ZS\la
I:\ATTY\ZS\202689US-AM.DOC